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Draft
from
Tom

Comments / Notes from AERT Meeting 7/18/96

(Attached Attendance List)

ENDANGERED SPECIES & THE ECOSYSTEM RESTORATION PROGRAM

SUMMARY OF KEY DISCUSSION ITEMS

Need for a Terrestrial Species Recovery Plan

a. There are a limited number of recovery plans available for terrestrial species and habitats. Consider developing plans and possibly HCP. Key available plans are Native Fish Recovery Plan, Tidal Marsh Recovery Plan, and Winter Run Salmon Recovery Plan.

b. Section 7 process may have advantages over HCP process, and could include stakeholders through MOU's. An HCP has to be specific enough to allow take, whereas a Section 7 process does not.

c. Setting targets for habitat restoration could be accomplished by targeting some baseline period that may be identifiable via aerial photographs. Suggestion made not to look back for targets, only look forward from what we have today.

d. Workgroups should be assembled to develop specific restoration plans.

e. Engineering solutions are needed to provide habitat protection to remaining Delta habitats.

INTRODUCTION - DD

1. Target recovery of T&E species.
2. Prop 204 will be on the ballot this fall with 1-1.5 million for restoration.
   a. Early CVPIA cost share will be 93 million.
   b. Category III share will be 60 million.
   c. Long-term 390 million to cost share with CVPIA and other sources.
3. AERT is looking for Species of Special Concern expert support. We need information on recovery plans, biological opinions, etc to help design ERP.
4. Need assurances for the stakeholders paying the bills.
5. We need a game plan.
6. Bring experts together.
7. By October we need ERP actions delineated.
8. How about something similar to the Native Fish Recovery Plan for the terrestrial species and their habitat in the Delta.
9. Alternative F presently is the level of implementation planned for ERP. We need to validate these numbers from a benefit and impact standpoint.

COMMENTS/DISCUSSION

PC/FW: Stated Delta wildlife projects are a place to start for actions and detail specifications to restore species of special concern. DFG has no recovery plans specifically for individual species.

FW: Focus has been on fish. We should take advantage of opportunities to mutually benefit terrestrial ecosystem components.

MT: There are recovery plans for the Aleutian goose, clapper rail, salt-marsh harvest mouse, and one in the process of being developed by the Giant Garder Snake Team. The are no plans for the insects on list. The Delta Native Fish Plan has been ready for months, but has yet to be released. The Winter Run Salmon Plan is in internal review by the NMFS. There is a San Joaquin Valley Recovery plan that focuses on the kit fox and 37 other species. There is the Tidal Marsh Recovery Plan that focuses on the salt-marsh harvest mouse and clapper rail: this plan updates the recovery plans for these two species.

DD: It is critical that we expidite some sort of a recovery plan to guide the ERP. It will be an important focus of our adaptive management program. We can't affort to overlook ESA issues.

PC: To what degree can we go ahead without recovery plans to guide us?

MT: The FWS has mechanisms to cover such needs.

BF: We should first focus on preserving what habitat we have for the key species.

DM: Instead of a species perspective, there should be a habitat perspective. There are some Bay efforts to draw upon.

MT: Wetland Goals Project for the Bay has some valuable information. It focuses on an historical view of the Bay.

DD: I have looked at the aerials from 1937, 1967, and 1993 for habitat changes.

DM: DFG is not actively preparing recovery plans because they are not necessary for state law. DFG need only prepare restoration plans.

MT: FWS would review CALFED ERP plans via Section 7 of ESA. Would be supportive of a positive process toward the species of special concern. In the absence of recovery plans, it will be hard for FWS to speak to recovery of any listed species. Removal of threats is very important. Predators (terrestrial) are really not that important to Delta wildlife. Suisun Marsh has a number of conflicts between species that may be important for CALFED. Conversions to tidal wetlands could cause conflicts over the salt-marsh harvest mouse.

PC: Under present ERP plans harvest mouse could lose some habitat.

BF: The Suisun Marsh Workgroup is focused toward the 1998 triannual review process and is thus on a different timeline. There is also the East Delta Properties Program studying and characterizing the canal route. DWR also has projects on Georgianna Slough, South Delta Barriers, and North Delta Project.

PC: The North Delta Project has aerials of the whole Delta, but only the North Delta is being analyzed. We could have the rest analyzed.

DD: We could map habitat in the Delta for 1967 and spot compare with 1937 and 1993 to provide some justification for setting targets/goals based on the 1967 period conditions.

EL: Levee program in Delta has had some pitfalls with the aerial photo approach. Photos are not that good when ground-survey tested. 1987-1991 photos are being digitized, but scale of information is not adequate for levee slope work.

MT: Potential for restoration may lie in knowledge that a site had such habitat historically, which

is a reason for mapping historical habitat. Such a mapping effort could help us determine what has highest potential for successful restoration.

DS: Levees have changed over the years.

DD: Delta channels have also changed.

PC: There have also been changes in ag practices inside levees: cropping patterns, etc. With subsudence on the islands, there may be more wetlands created over the years.

LW: 1967 is not a good reference period because 7 of 10 years were wet in the mid60's to mid70's.

DD: Water development changes have occurred since then; how might we reverse these changes?

JA: Water projects impacts have led to distinct changes on time scales of 10-20 years.

DD: CALFED is looking for an approach for targets. Are changes and reversal of change valid tools?

FW: Reversal of change is applicable to hydrodynamic changes.

PC: Caution: we can't create conditions of 30 years ago. Too many projects since then. Should focus on what we can do in critical areas of need.

DD: We should identify what is key and narrow are focus to these. Use water only when necessary to fill in the gaps.

JW: Where are the key tradeoffs? We can make some seasons better, but only at the expense of others.

DD: In developing water for environment, can we focus where it does the most good, and at the same time increase yield? JSA is conducting a study to identify the time value of water.

FW: The 1937 aerial photo interpretation is not aggressive enough for restoration program needs for either aquatic or terrestrial environment. Habitat was not good in 1937; it was not a good role model for restoration.

EL: Pre-Columbian would be better baseline. Explorer reports tell us how it was before settlement. That is the vision we need for a natural habitat goal.

BF: That historical habitat would release water hyachinth fears. Other exotic species would also be problems. We should look to change from what we have today, not look back.

DM: We should try to improve hydrodynamics and physical habitat in the Delta. Delta smelt and splittail are desperate for shallow water and shaded riparian aquatic habitat. DFG would like to see such a proposal. For wetlands, any habitat restoration should be driven by needs of smelt, and terrestrial plants and animals. Restoration of habitat for habitat dependent species would be good for salmonids. DFG is looking for CALFED's refined evaluation of the AFRP recommendations.

LW/LH: Difficult to look back; it is better to look forward. A big assumption is that habitat is limiting. Is it really limiting? How can we look back with such new factors as the asian clams.

DD: CALFED is not habitat exclusive. We need to defend what programs we implement. How

do we deal with species concerns in the context of the NO ACTION Alt?

WH: We project the future without the CALFED project. Other programs will happen. This will be a reference point for evaluating the effect of CALFED alternatives.

LW: What do we need for fish? Biological opinions are our best shot at avoiding jeopardy opinions, but they do not target recovery. Is CALFED's goal recovery?

DD: Yes, for the exclusive Delta species.

JW: Uncertainty in recovery goals and CALFED targets.

JA: There is some information on habitat needs. We know what is available and we can improve what we can. How else can we accomplish our goals.

DM: We can restore a small amount of habitat. But I question the benefits of even large amounts. Habitat will be needed if other factors allow more survival, thus habitat is a necessary component of recovery.

DD: Do you have concerns about benefitting predators with some habitat restoration?

MT: It is a non-argument not to do anything with habitat, because we are afraid of predators.

DD: The Corps is considering taking steps for removal of unpermitted structures.

DM: States that riprap is better for predators than SRA.

EL: Predation is not a limiting factor.

PC: Need closure on where we want to go with the terrestrial program. Need workgroups to take us to closure.

DD: We need a Suisun Marsh Team, a Delta Proper Team, others. Need to understand the underlying benefits to fisheries.

JW: It is hard to determine the benefits/detriments of habitat restoration.

DD: Thus the need for adaptive management.

EL: We should look to avoiding listing of other species with habitat management.

DM: Need a group to meet to refine vision/goals for both fish and terrestrial together.

CONFLICT RESOLUTION

Introduction - DD

1. Consider a joint terrestrial/aquatic HCP.
2. Recovery of ESA species.
3. SB 34 - package of SRA in attached berms. Looking for a neg dec. Affects known delta smelt habitat is been described a problem for developing berms on outside of levees. Set-back levees are considered to have less conflict.

4. Mitigation banks.

5. CALFED need to avoid conflicts.

Comments/Discussion

LP: San Joaquin Valley drainage program - how do we get it started? First by protecting good habitat; increase capacity immediately and then work from that point.

EL: Many people would like to sell their land.

DD: We can't overshoot with mitigation bank with an aggressive restoration program.

MT: Too early to think about mitigation banks in the restoration program. Need to flush out program first. May not need mitigation, because it is incorporated into restoration program. Better planning should alleviate need for mitigation. Sonoma Baylands had functional and value conflicts, but the original plan was fine. Facilities development could involve mitigation banks, but none likely needed for the restoration program. As long as there is no net loss of functions and values within the all inclusive program, then there is no need for mitigation. The overall program will be easier to sell if you are not talking about mitigation up front. The overall program will take time phasing into account. Restoration of habitat where there is no present value, e.g. on riprap, is not a problem. If however, restoration includes areas with present ecological value, then there may be a phasing problem. Avoid existing riparian values until areas of nonexisting value are restored first.

PC: Phasing - pushing (restoration) forward on several fronts. It is important that we don't accumulate impacts as we go.

EL: Agree, we should focus on restoring poor habitats. Will need cooperative effort and ability to condemn properties. May need ability to limit activities such as boating to preserve channel island habitat at least during interim periods.

WH: Wake dissipaters and set backs can be used on channel islands and levee restorations.

LW: On Sherman Island, setback levees were necessary to protect shoreline habitats.

MT: Geo-web failed at Staten Island. Log booms were necessary to protect back sides of channel islands.

EL: On Staten Island, riprap preserves the sides with heaviest wave action. Poles are used to restrict boat traffic. Floating logs are used on Sycamore Is. - but sink if untreated. Vegetation studies for levee protection in the 70's were unsuccessful. Hard solutions are better.

LP: O&M problems should be considered.

EL: A design team is needed with a consensus on the engineering and biology, soil, erosion, and other important variables.

DD: We will have design teams later in the program.

WH: Such details will come in Phase III of program. Phase II deals with the large scale solutions.

MT: At the programmatic level we should analyze various treatments and develop criteria for different treatments. The actual process will be site specific. We should be looking for ways to

enhance habitat.

DD: What about an HCP?

MT: That requires an extra step of public review and comment because of the Federal NEPA requirement for the FWS to adopt the agreed upon program. The Section 7 process gives better coverage. FWS could depend on HCP document for the NEPA documentation, but no need. What would be the advantages of an HCP?

DD: HCP would involve stakeholders.

EL: Class action approval at programmatic level HCP.

MT: A programmatic Section 7 will do that. For example: the Fish Screening Program Section 7 is the quickest and most effective way to go.

LW: Would an HCP avoid a step-down process?

MT: An HCP must be specific enough to allow take. A programmatic Section 7 does not require such specificity.

DM: Programmatic Section 7 could predict a beneficial effect, and non-jeopardy. Tiered 3 consultation to make point that it is a restoration program.

DD: Do we conduct an HCP process but don't call it that?

BF: How do we bring private stakeholders into a Section 7 process?

EL: Guidelines for Section 7 process allow for MOU's.

DD: We should look at a new institutional structure to facilitate O&M for the restoration program. PG&E sees an opportunity to participate in a program.

EL: Mitigation banks are not a good primary focus because we want onsite, inkind mitigation.

DD: What else do we need to facilitate progress toward recovery plans? Meetings. Permit streamlining.

LP: Permitting guidelines for CVPIA - AFRP being prepared by JSA for FWS. (Also for CALFED.)

DD: Serious challenge to provide assurances. Stakeholders are on board to support ERP will call on us for accounting.

JA: CALFED staff should call on agencies for support in developing the ERP.

DD: We have asked for more help recently. There may be more agency staff detailed to CALFED.

Next Steps

1. Put together work groups.
2. Working on time-value of water - windows for planning water supply needs.
3. JA has a new paper on Bay-Delta issues.

Other Items

1. JA is concerned about short term needs of CVP facilities at Tracy.
2. JA proposes a Yolo Bypass water supply conduit in association with habitat restoration.
3. MT is concerned about instream flow values below upstream diversions such as these.
4. LW: Carbon loading from Yolo is important component of total Bay/Delta loading.
5. PC: DFG formally requesting adding striped bass stocking to ERP. Interim goal of 3 million yearlings produced for stocking. Short term goal of 1.1 million adult striped bass and long term goal of 3 million (0.5 million at present).
6. DS: DFG would like recognition of striped bass by CALFED.